



Proposed Amendments To NALC Constitution: Some Background For Congregations Considering Ratification

On August 27, 2010, at its founding Convocation, the NALC approved a “Provisional Constitution.” The “provisional” label reflected an understanding that the NALC would continue work on its Constitution during the year ahead.

The Executive Council understood this. Moreover, it understood that under Section 17.01 of the Provisional Constitution, it was responsible for proposing Constitutional Amendments for consideration by the Convocation. To assist it in fulfilling this responsibility, the Executive Council in November 2011 appointed a Constitution Task Force and directed the task force to report any proposed amendments to the Executive Council by early April 2011.

The task force first met on November 22, 2010, at which time it approved a plan for completing its work. Under that plan, the task force members – two pastors and three laymen from five different states – contributed their own perspectives. The task force also consulted with Bishop Spring, General Secretary Bradosky, and the Executive Council. And finally, understanding the importance of drafting amendments that reflect the will of the broader church body, the task force used email and a web-site posting to invite comments and proposals from all pastors, lay leaders, and congregations. (Approximately twenty persons or groups of persons submitted comments to the task force.)

At its April 7, 2011, meeting, the task force unanimously approved recommended amendments. On April 29, the Executive Council approved the task force recommendations with minor changes. The 2011 annual Convocation approved the proposals with two additional changes. The package of amendments approved by the Convocation now is before the congregations for their consideration.

To become effective, amendments approved by the Convocation must be ratified by the NALC’s congregations. Section 17.03 provides that amendments to some constitutional articles require ratification by two-thirds of all congregations (Articles 2-4, 6-8, and 17) and amendments to other articles require ratification by a simple majority (Articles 1, 5, and 9-16). Ratification occurs as soon as the required number of congregations have voted “yes.” At the end of twelve months, if the required number of congregations have not voted for ratification, those that have failed to take any action “shall be deemed to have approved the amendment.” Applying this presumption, a final determination is made regarding whether ratification has been successful.

The proposed amendments subject to congregational consideration are available for review on the NALC web site at: <http://www.thenalc.org/documents/governance/NALC-2011-Constitution-Provisional-Compared.pdf>.

Of particular note, the Convocation is proposing changes in the Article 17 process through which congregations ratify Constitutional Amendments. Under the Provisional Constitution, congregations have up to one year after a Convocation to vote on ratification. Those congregations that do not vote within that period are counted as if they have voted for ratification.

Under the proposed amendment, every future amendment will require support from 2/3 of the congregations that actually vote on ratification within six months after the Convocation. Moreover, at least half of all congregations must vote either “yes” or “no” for ratification to be effective. A congregation that does not vote will not be counted as either a “yes” or “no” vote.

Other proposed amendments fill gaps in the Provisional Constitution (e.g., expressly creating processes for filling vacancies and for removing office holders), make usage consistent throughout the document (e.g., using a uniform approach to capitalizing key terms and using terms – “ordained minister” for pastors, for instance – consistently throughout the document), or eliminate provisions intended to apply only during the NALC’s first year. Still other changes reflect the NALC’s commitment to full and open disclosure of key information.

The proposed amendments improve upon the Provisional Constitution and are very important. They build upon the very strong governance foundation laid by the Provisional Constitution.

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